

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMES BLAND,

2:17-cv-02228-JAD-CWH

Petitioner,

VS.

ORDER DISMISSING CASE

ISIDRO BACA, *et al.*,

Respondents.

Petitioner James Bland has filed an application to proceed *in forma pauperis* and submitted petition for writ of habeas corpus.¹ This matter has not been properly commenced because the pauper application does not include all required attachments. Both 28 U.S.C. § 1915(a)(2) and Local Rule LSR1-2 require a petitioner to attach (1) an inmate account statement for the past six months and (2) a properly executed financial certificate. Petitioner Bland has failed to provide either document. His application is therefore incomplete.

For this reason, the application for leave to proceed *in forma pauperis* is denied, and this case will be dismissed without prejudice to Bland's ability to file a new petition in a new action with a fully completed pauper application on the proper form with all required attachments.

19 **IT THEREFORE IS ORDERED** that the application to proceed *in forma pauperis* (**ECF**
20 **No. 1**) is **DENIED**, and **this action is DISMISSED** without prejudice to Bland's ability to file a
21 new petition in a new action with a properly completed pauper application. The Clerk of Court is
22 directed to **SEND petitioner two copies each of** an application form to proceed *in forma pauperis*
23 for incarcerated persons and a noncapital Section 2254 habeas petition form, one copy of the
24 instructions for each form, and a copy of the papers that he submitted in this action.

IT FURTHER IS ORDERED that a certificate of appealability is DENIED because jurists of reason would not find the court's dismissal of this improperly commenced action without

1ECF No. 1.

prejudice to be debatable or incorrect.

The Clerk of Court is directed to **ENTER JUDGMENT** accordingly and **CLOSE THIS CASE.**

DATED: October 11, 2017


Doreen L. Dorsey